

UNITED STATES DISTRICT COURT

for the Northern District of California, San Francisco Division

EUROSEMILLAS, S.A., a Spanish corporation,

Plaintiff

v.

Civil Action No. 17-cv-3159-MEJ

PLC DIAGNOSTICS, INC., a Delaware corporation; NATIONAL MEDICAL SERVICES, INC. dba NMS LABS, a Pennsylvania corporation; LDIP, LLC, a Delaware limited liability company; REUVEN DUER; ERIC RIEDERS; and DOES 1 through 10, inclusive,

Defendants, Third-party plaintiffs

v.

MOHAN UTTARWAR, an individual, and PIYUSH GUPTA, an individual,

Third-party defendants.

SUMMONS ON A THIRD-PARTY COMPLAINT

To: *(Third-party defendant's name and address)*

MOHAN UTTARWAR
21620 Rainbow Drive, Cupertino, CA 95014

PIYUSH GUPTA
7842 Belknap Dr., Cupertino, CA 95014

A lawsuit has been filed against defendants PLC DIAGNOSTICS, INC., a Delaware corporation; NATIONAL MEDICAL SERVICES, INC. dba NMS LABS, a Pennsylvania corporation; LDIP, LLC, a Delaware limited liability company; REUVEN DUER; ERIC RIEDERS, who as third-party plaintiffs are making this claim against you to pay part or all of what the defendants may owe to the plaintiff EUROSEMILLAS, S.A., a Spanish corporation,

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Steven J. Kahn (CA Bar No. 76933)
Harry D. Hochman (CA Bar No. 132515)
PACHULSKI STANG ZIEHL & JONES LLP
150 California Street, 15th Floor
San Francisco, CA 94111-4500
Telephone: 415.263.7000; Facsimile: 415.263.7010
Email: skahn@pszjlaw.com; hhochman@pszjlaw.com

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

Ruchit Kumar Agrawal (CA Bar No. 299290)
KUMAR LAW
6525 Crown Blvd., #20072
San Jose, CA 95160
Telephone: (408) 601-0586
Email: Ruchit@kumarlawsv.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's second amended complaint (Dkt. 27) is also attached. You may – but are not required to – respond to it.

Date: _____

CLERK OF COURT

Signature of Clerk or Deputy Clerk

American LegalNet, Inc.
www.FormsWorkflow.com



Civil Action No. 17-cv-3159-MEJ

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

